

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 10, 2000

D033387 Estate of Shrode, Deceased

The judgment is reversed. O'Rourke, J.; We Concur: Work, Acting P.J., Nares, J.

Court convened at 9:00 a.m.

Present: The Honorable Don Work, Acting Presiding Justice, and The Honorable Associate Justices Patricia Benke and Alex McDonald
Deputy Clerk: D. E. Moore

D031387 People v. Alvarez

Cause called on merits. Carl Fabian, Esq. argued for appellant. Carl H. Horst, Deputy Attorney General argued for respondent. Mr. Fabian replied for appellant. Cause submitted.

D032831 Stewart Title Guaranty Company v. E. T. Legg and Associates

Cause called on merits. M. Steven Andersen, Esq. argued for appellant. Paul H. Samuels, Esq. argued for respondent. Mr. Andersen replied for appellant. Cause submitted.

D033171) Teyssier v. City of San Diego

D033622) City of San Diego v. McCarty

Cause called on merits. David Markham, Esq. argued for appellant. James M. Chapin, Deputy City Attorney argued for respondent. Grant Telfer, Deputy City Attorney argued for respondent on D033622. Mr. Markham replied. Cause submitted.

D032722 Jaffe v. Woolard

Cause called on merits. Paul S. Metsch, Esq. argued for appellant. Robert Craig Woolard, argued for respondent in pro per. Mr. Metsch replied for appellant. Cause submitted.

Court recessed at 10:20 a.m. until 1:30 p.m.

D033264 Hommy et al. v. Farmers Insurance Exchange

The opinion filed April 4, 2000 is modified. There is no change in judgement.

D035240 In re Hinton on Habeas Corpus

The petition is denied.

D035225 National Steel & Shipbuilding Company v. Workers' Compensation Appeals Board and Espinoza

The petition is denied. Shawn K. Espinoza's request for attorney fees on petition (Lab. Code, sec. 5801) is denied.

D033471 People v. Allen

Judgment affirmed. O'Rourke, J.; We Concur: Work, Acting P.J., Huffman, J.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 10, 2000 (Continued)

D033472 People v. Garbutt

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Work, J.

**D034798 John F. v. Superior Court of San Diego County/San Diego County Health
and Human Services Agency**

Let a writ issue directing the superior court to vacate its order terminating services and setting a selection and implementation hearing, and enter a new order providing John with six additional months of reunification services. This opinion is final immediately as to this court. (Cal. Rules of Court, rule 24 (d).)

D033184 People v. Horton

Judgment affirmed. McIntyre, J.; We Concur: Nares, Acting P.J., Haller, J.

Court reconvened at 1:30 p.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Terry O'Rourke
Deputy Clerk: D. E. Moore

D032828) Excelpro, Inc. v. Protein Technologies International, Inc.

D033332) Excelpro, Inc. v. Protein Technologies International, Inc.

Cause called on merits. Donald W. Ricketts, Esq. argued for appellant. Allen S. Boston, Esq. argued for respondent. Mr. Ricketts replied for appellant. Cause submitted.

D033960 Heath-Geibush v. Geisbush

Cause called on merits. Robert H. Basie, Esq. argued for appellant. Stephen Temko, Esq. argued for respondent. Mr. Basie replied for appellant. Cause submitted.

Court recessed at 2:05 p.m. to change panel members. New panel members: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Gilbert Nares

D033580 In re Aisha C. et al., Juveniles

Cause called on merits. Richard Candor, Esq. argued for appellant. Gary C. Seiser, Deputy County Counsel argued for respondent. Mr. Candor replied for appellant. Cause submitted.

D031670 Finton v. Ralphs Grocery Company

Cause called on merits. Daniel J. Gonzalez, Esq. argued for appellant. Charles A. Bird, Esq. argued for respondent, Gober, et al.. Philip Edward Kay, Esq. argued for respondent, Finton and etc. Mr. Gonzalez replied for appellant. Cause submitted.

Court recessed at 3:35 p.m. until Tuesday, April 11, 2000 at 9 a.m.

D035184 In re Mora on Habeas Corpus

The petition is denied.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 11, 2000

D034641 In re Anthony B., a Juvenile

Judgment terminating parental rights and order summarily denying section 388 petition affirmed.
Kremer, P.J.; We Concur: Nares, J., McDonald, J.

D035252 In re Jackson on Habeas Corpus

The petition is dismissed.

D035362 In re Mora on Habeas Corpus

The petition is denied.

D034962 In re Harper on Habeas Corpus

The petition is denied.

D033910 Flexsystems USA, Inc. v. Evans et al.

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)).

Court convened at 9:00 a.m.

Present: The Honorable Don Work, Acting Presiding Justice, and The Honorable Associate Justices Patricia Benke and Alex McDonald
Deputy Clerk: D. E. Moore

D033552 People v. Deras, Jr.

Cause called on merits. Donald M. Hill, Esq. argued for appellant. Natasha Cortina, Deputy Attorney General argued for respondent. Cause submitted.

D032321 People v. Mapes

Cause called on merits. Laura Gordon, Esq. argued for appellant. Garrett Beaumont, Deputy Attorney General argued for respondent. Cause submitted.

D033936 Swinerton & Walberg Co. v. San Diego Hebrew Home for the Aging

Cause called on merits. Charles Bird, Esq. argued for appellant. Laura Gantney, Esq. argued for respondent, Swinerton & Walberg Co. Valerie L. McLaughlin, Esq. argued for respondent, Tucker Sadler & Associates. Mr. Bird replied for appellant. Cause submitted.

D033591 DeBartolo v. National Fire Insurance Company of Hartford

Cause called on merits. No appearance by appellant in pro per. John M. Pagan, Esq. was present in oral argument for respondent, and submitted on the briefs. Cause submitted.

Court recessed at 10 a.m. until 1 p.m.

D032525 Brody v. Walther

The petition for rehearing is denied.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 11, 2000 (Continued)

D032526 Broday v. Scripps Clinic Medical Group, Inc. et al.

The petition for rehearing is denied.

D031679 Masters v. Sulzer Medica

The judgments are affirmed. Respondents shall recover their costs on appeal. Nares, J; We Concur: Kremer, P.J., Huffman, J.

D033704 Castaneda v. City of Newport Beach

The judgment is affirmed. Wagner, J. (assigned); We Concur: Kremer, P.J., Benke, J.

D033817 McGehee v. Curtis

The unopposed motion to dismiss is GRANTED.

D033563 People v. Hernandez

Affirmed with directions. Work, J.; We Concur: Kremer, P.J., Huffman, J.

D035390 People v. Peterson

The petition is denied.

D035402 Rimmer v. Galascione et al.

The petition is denied.

D032629 People v. Garrett

D034580 In re Garrett on Habeas Corpus

The pending petition for writ of habeas corpus, In re Jettie Lee Garrett, D034580, is consolidated with the pending appeal, People v. Jettie Lee Garrett, D032629 for disposition.

D032629 People v. Garrett

D034580 In re Garrett on Habeas Corpus

The judgment is reversed. The petition for writ of habeas corpus is denied as moot. O'Rourke, J.; We Concur: Work, Acting P.J., Nares, J.

Court reconvened at 1:00 p.m.

Present: The Honorable Don Work, Acting Presiding Justice, and The Honorable Associate Justices Patricia Benke and Alex McDonald

Deputy Clerk: D. E. Moore

D032112 Robinson v. VLP Enterprises, Inc.

Cause called on merits. Sherry Robinson, appellant in pro per argued for appellant. Joseph Fox, Esq. argued for respondent. Ms. Robinson replied for appellant, in pro per. Cause submitted.

Court recessed at 1:20 p.m. until 1:30 p.m.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 11, 2000 (Continued)

Court reconvened at 1:30 p.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Judith Haller and James McIntyre
Deputy Clerk: D. E. Moore

D033093 Sebastian v. Medapproach et al.

Cause called on merits. Michael L. Stern, Esq. argued for appellant. Joanne D. Roake, Esq. argued for respondent. Mr. Stern replied for appellant. Cause submitted.

D032228 National Parks and Conservation Association v. County of Riverside

John A. Henning, Jr., Esq. argued for appellant, County of Riverside and etc. Jan Chatten-Brown, Esq. argued for respondent. Mr. Henning replied for appellant. Cause submitted.

Court recessed at 2:18 p.m. to change panel members. New panel members: The Honorable Gilbert Nares, Acting Presiding Justice, and The Honorable Associate Justices Judith Haller and James McIntyre

D034224 Sanoni v. Construction Repair Specialists & Interiors, Inc. et al.

Cause called on merits. Jack Bradley Hamlin, Esq. argued for appellant. Mary C. Downey, Esq. argued for respondent. Mr. Hamlin replied for appellant. Cause submitted.

D032993 People v. Cooksey

Cause called on merits. David D. Carico, Esq. argued for appellant. Keith Motley, Deputy Attorney General argued for respondent. Cause submitted.

D033409 People v. Zolezzi

Cause called on merits. Lynda A. Romero, Esq. argued for appellant. Hye Y. Yang, Deputy Attorney General argued for respondent. Ms. Romero replied for appellant. Cause submitted.

Court recessed at 3:25 p.m. until Wednesday, April 12, 2000 at 9:00 a.m.

D032467 Chodar v. Fargo

The judgment is affirmed. Wagner, J. (assigned); We Concur: Kremer P.J., Benke, J.

D034014 Small, as Warden, etc. v. Superior Court of Imperial Couty/Barrett RPI

Let a writ issue directing the superior court to vacate its orders of August 9, 1999, and to enter new orders consistent with this opinion. The stay will be vacated when this opinion is final as to this court. CERTIFIED FOR PUBLICATION. Haller, Acting P.J.; We Concur: McDonald, J., O'Rourke, J.

D031395 Pardee Construction Company v. California Iron Works et al.

The petition for partial rehearing is denied.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 11, 2000 (Continued)

D032765 People v. Cortez

The conviction of possessing a controlled substance (count 2) is reversed. In all other respects, the judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Benke, J.

**D031215 McBrice-Newell, Inc. et al. v. The Good Guys-California Inc. et al./Law
Offices of Alexander M. Schack et al.**

The orders are affirmed. Carriers & Retailers, other than Airtouch Entities, are entitled to costs on appeal. McDonald, J.; We Concur: Kremer, P.J., Benke, J.

D035185 In re Morgan on Habeas Corpus

The petition is denied.

D034966 Glazener v. Regency Investors

Upon filing a written abandonment of appeal and request for dismissal of the appeal with prejudice, the appeal of Regency Investors, L.P., is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)).

D033128 People v. Adams

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Nares, J.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 12, 2000

D032212 People v. Wagner

The judgment is affirmed. O'Rourke, J.; We Concur: Work, Acting P.J., Nares, J.

D031522 People v. Smith

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Nares, J.

D033180 People v. Winter

The order is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

Court convened at 9:00 a.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and The Honorable Associate Justices Alex McDonald and Terry O'Rourke

Deputy Clerk: D. E. Moore

D033996 Russo v. Workers Compensation Appeals Board

Matter called on merits. William O'Neill, Esq. argued for petitioner. Louis Harris, Esq. argued for respondent, Department of Corrections. Mr. O'Neill replied for petitioner. Matter submitted.

Court recessed at 9:20 a.m. to change panel members. New panel members: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Terry O'Rourke

D032375 People v. Wanser

Cause called on merits. Joyce M. Keller, Esq. argued for appellant. Craig Nelson, Deputy Attorney General argued for respondent. Cause submitted.

D031354 People v. Shaheed

Cause called on merits. George Schraer, Esq. argued for appellant. Angela Rosenau, Deputy Attorney General argued for respondent. Mr. Schraer replied for appellant. Cause submitted.

D032096 People v. Lopez

Cause called on merits. Janice R. Mazur, Esq. argued for appellant. Meagan Beale, Deputy Attorney General argued for respondent. Ms. Mazur replied for appellant. Cause submitted.

D032416 People v. Mejia

Cause called on merits. Donald M. Hill, Esq. argued for appellant. Ilana Cohen, Deputy Attorney General argued for respondent. Mr. Hill replied for appellant. Cause submitted.

D032696 Dolan-King v. Rancho Santa Fe Association

Cause called on merits. Daniel J. Gonzalez, Esq. argued for appellant. Gary L. Wollberg, Esq. was present in oral argument for appellant, but did not argue. David A. Niddrie, Esq. argued for respondent. Mr. Gonzalez replied for appellant. Cause submitted.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 12, 2000 (Continued)

D032902 White v. Regents of the University of California

Cause called on merits. David A. White argued for appellant in pro per. Michon Hinz, Esq. was present in oral argument for respondent Eisenmann etc. and submitted on the briefs. Cristina M. Baroga, Esq. was present in oral argument for respondent Casey, and submitted on the briefs. Lysha N. Weston, Esq. argued for respondent, Regents of the University and etc. Janice Ingold Lau, Deputy County Counsel was present in oral argument for respondent County of San Diego etc. and submitted on the briefs. Mr. White replied. Cause submitted.

Court recessed at 11 a.m. until 1:30 p.m.

D035183 In re Lugo on Habeas Corpus

The petition is denied.

D034013 Birndorf v. Superior Court of San Diego County/Alexzander

The order to show cause is discharged. A peremptory writ of mandate shall issue directing the trial court to vacate its order of July 21, 1999, partially granting petitioner's alternative motion for summary adjudication and impliedly denying petitioner's motion for summary judgment. The court is directed to enter a new order granting petitioner's motion for summary judgment. Petitioner shall recover his costs. Nares, J.; We Concur: Benke, Acting P.J., McDonald, J.

D033568 People v. Martinez

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Nares, J.

Court reconvened at 1:30 p.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Gilbert Nares and Judith Haller
Deputy Clerk: D. E. Moore

D033798 Kinsella v. Aronson

Cause called on merits. Jerry D. Hemme, Esq. argued for appellant. Robert M. Steele, Esq. argued for respondent. Mr. Hemme replied for appellant. Cause submitted.

Court recessed at 2 p.m. to change panel members. New panel members: The Honorable Gilbert Nares, Acting Presiding Justice, and The Honorable Associate Justices Judith Haller and James McIntyre

D033061 People v. Zamaro

Cause called on merits. Robert E. Boyce, Esq. argued for appellant. Lora Fox Martin, Deputy Attorney General argued for respondent. Mr. Boyce replied for appellant. Cause submitted.

D033168 Calhoon v. Lewis

Cause called on merits. Ernest R. Calhoon, argued for appellant in pro per. Roger C. Dyer, Esq. argued for respondent. Mr. Calhoon replied. Cause submitted.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 12, 2000 (Continued)

D032329 People v. Lockett

Cause called on merits. Michael Satris, Esq. argued for appellant. Lise Simons, Deputy Attorney General argued for respondent. Mr. Satris replied for appellant. Cause submitted.

D032116 US/MEX Manufacturing Corporation v. PLH Products, Inc.

Cause called on merits. Gregory W. Smith, Esq. argued for appellant/cross-respondent. Peter D. Lepiscopo, Esq. argued for respondent/cross-appellant. Mr. Smith replied. Cause submitted.

D033462 Ilko v. Anthony's Pools, Inc.

Cause called on merits. Paul K. Fine, Esq. argued for appellant. James F. Holtz, Esq. argued for respondent. Mr. Fine replied for appellant. Cause submitted.

Court recessed at 3:30 p.m. until Thursday, April 13, 2000 at 9 a.m.

D033405 People v. Vargas

The superior court is directed to strike the first alleged serious/violent felony prior conviction (§ 667, subds. (b) (i)) and to forward an amended abstract of judgment reflecting such change to the Department of Corrections. In all other respects the judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., Nares, J.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 13, 2000

D035189 In re Rodriguez on Habeas Corpus

The petition is denied.

D032463 O'Harren v. USAir, Inc.

The order is affirmed. Costs are awarded to respondent. McIntyre, J.; We Concur: Work, Acting P.J., Haller, J.

D035282 In re Colgan on Habeas Corpus

The petition is denied.

D032625 Feurzeig et al. v. Insurance Company of the West

The petition for rehearing is denied.

D034486 In re Valenzuela on Habeas Corpus

The petition for reconsideration is denied.

Court convened at 9 a.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Judith Haller
Deputy Clerk: D . E. Moore

D034139 People v. Superior Court of the County of San Diego/Barrett

Matter called on merits. Ann M. Meyer, Deputy District Attorney argued for petitioner. Eric Beaudikofer, Esq. argued for real party in interest. Matter submitted.

D033389 Sipperly v. Thermoscan, Inc.

Cause called on merits. William Edward Sipperly argued for appellant in pro per. Mark S. Pulliam, Esq. argued for respondent. Mr. Sipperly replied. Matter submitted.

Court recessed at 9:33 a.m. until 10 a.m.

Court reconvened at 10 a.m.

Present: The Honorable Don Work, Acting Presiding Justice, and The Honorable Associate Justices Gilbert Nares and Judith Haller

D032557 Harper-Smith v. Wells Fargo

Cause called on merits. Mary Beth Harper-Smith argued for appellant in pro per. Karin Dougan Vogel, Esq. argued for respondent, Wells Fargo. Kendra Hall, Esq. argued for respondent, Home Savings of America. Ms. Harper-Smith replied. Cause submitted.

D032385 Rivas v. San Diego Trolley, Inc.

Cause called on merits. Thomas J. Molta, Esq. argued for appellant. Mark T. Brisebois, Esq. argued for respondent. Mr. Molta replied for appellant. Cause submitted.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

April 13, 2000 (Continued)

Court recessed at 10:37 a.m. to change panel members. New panel members: The Honorable Don Work, Acting Presiding Justice and The Honorable Associate Justices Gilbert Nares and James McIntyre

D033358 Lenane v. Continental Maritime of San Diego, Inc.

Cause called on merits. Thomas Tosdal, Esq. argued for appellant. Gary A. Angel, Esq. argued for respondent. Mr. Tosdal replied for appellant. Cause submitted.

D032188 Lobaito v. Childress Concrete, Inc.

Cause called on merits. Mary M. Best, Esq. argued for appellant. Mary B. Pendleton, Esq. argued for respondent. Ms. Best replied for appellant. Cause submitted.

Court recessed at 11:35 a.m. to change panel members. New panel members: The Honorable Don Work, Acting Presiding Justice, and The Honorable Associate Justices Judith Haller and James McIntyre

D032920 Sarna v. GNC Franchising, Inc.

Cause called on merits. Howard A. Kroll, Esq. argued for appellant. Brian K. Brookey, Esq. was present in oral argument, but did not argue. Jon B. Miller, Esq. argued for respondent. Mr. Kroll replied for appellant. Cause submitted.

Court recessed at 12:15 p.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Daniel Kremer, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Terry O'Rourke
Deputy Clerk: D. E. Moore

D032369 Espinoza v. Espinoza

Cause called on merits. Antonio Ben Espinoza argued for appellant in pro per. Barbara K. Strickland, Esq. argued for respondent. Mr. Espinoza replied. Cause submitted.

D032701 Strickland v. San Diego Restaurant Management, et al.

Cause called on merits. Thomas H. Ault, Esq. argued for appellant. Robert P. Stricker, Esq. argued for respondent. Mr. Ault replied for appellant. Cause submitted.

D031416 Stern v. Herron

Cause called on merits. March O. Stern argued for appellant in pro per. George J. Schultz, Esq. argued for respondent, Herron. George John Ronis, Esq. argued for respondent, Larson. Mr. Stern replied. Cause submitted.

Court recessed at 2:45 p.m. until Friday, April 14, 2000 at 9 a.m.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

APRIL 13, 2000 (continued)

D033269 Franco v. Service America Corporation et al.

The judgment is reversed. The court is directed to vacate its order on Service America's motion for summary judgment or, alternatively, summary adjudication, and enter a new order denying the motion for summary adjudication as to the causes of action for assault and battery, and denying the motion for summary adjudication as to the cause of action for intentional infliction of emotional distress and the claim for punitive damages. The parties shall bear their own costs on appeal. Nares, Acting P.J.; We Concur: Haller, J., McIntyre, J.

D030437 Crooks v. Bailey et al.

The judgment is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D030967 Lim v. White

D031678 Lim v. White

We affirm the judgment entered in favor of Lim on White's cross-complaint; we reverse the supplemental judgment awarding Lim costs and remand the matter to the trial court for a rehearing on the cost issue in accordance with the views expressed herein. The parties are to bear their own costs on appeal.

McIntyre, J.; We Concur: Work, Acting P.J., Haller, J.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

APRIL 14, 2000

D034389 In re Anne B., a Juvenile

The judgment is affirmed. Work, Acting P.J.; We Concur: Benke, J., McDonald, J.

**D035405 A-1 Concrete Contractors, Inc. v. Imperial County Superior Court/Sunset
Ridge Limited et al.**

The petition is denied.

D032993 People v. Cooksey

The judgment is affirmed. Nares, Acting P.J.; Haller, J., McIntyre, J.

**D035391 Weisel et al. v. Superior Court of San Diego County/San Diego County
Health and Human Services Agency**

The petition is denied.

**D035022 People et al. v. Superior Court of San Diego County/Brown & Williamson
Tobacco Corporation et al.**

The petition is denied.

Court convened at 9:00 a.m.

Present: The Honorable Don Work, Acting Presiding Justice, and The Honorable Associate
Justices Patricia Benke and Richard Huffman

Deputy Clerk: D. E. Moore

D033252 Henig v. Board of Trustees of the California State University

Cause called on merits. Donna M. Houck, Esq. argued for appellant. Karen L. Robinson, Esq.
argued for respondent. Ms. Houck replied for appellant. Cause submitted.

D033473 Gilliam v. Richardson

Cause called on merits. James William Bravos, Esq. argued for appellant. William P. Volk, Esq.
argued for respondent. Mr. Bravos replied for appellant. Cause submitted.

Court recessed at 9:38 a.m. until 10 a.m.

Court reconvened at 10 a.m.

Present: The Honorable Don Work, Acting Presiding Justice, and The Honorable Associate
Justices Patricia Benke and Alex McDonald

D032282 Vital Services Company, Inc. v. Mid Century Insurance Company

Cause called on merits. Robert M. Steele, Esq. argued for appellant. Helen M. Luetto, Esq.
argued for respondent. Mr. Steele replied for appellant. Cause submitted.

**COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE**

APRIL 14, 2000 (Continued)

D034074 BSND, Inc. v. BSR Associates

Cause called on merits. William W. Ravin, Esq. argued for appellant. David E. Kleinfeld, Esq. argued for respondent. Mr. Ravin replied for appellant. Cause submitted.

D033342 A. O. Reed & Company, Inc. v. County of San Diego

Cause called on merits. Jeffry A. Miller, Esq. argued for appellant. Miriam E. Brewster, Deputy County Counsel argued for respondent. Mr. Miller replied for appellant. Cause submitted.

Court recessed at 11 a.m. until 1:30 p.m.

Court reconvened at 1:30 p.m.

Present: The Honorable Richard Huffman, Acting Presiding Justice, and The Honorable Associate Justices Alex McDonald and Terry O'Rourke
Deputy Clerk: D. E. Moore

D033361 Miranda v. San Diego Housing Commission

Cause called on merits. Richard Steiner, Esq. argued for appellant. Sean D. Schwerdtfeger, Esq. argued for respondent. Mr. Steiner replied for appellant. Cause submitted.

D034063 Harris v. Workers' Compensation Appeals Board

Steven Robert Walder, Esq. argued for petitioner. William Harold Steiner, Esq. argued for respondent, County of Los Angeles. Mr. Walder replied for petitioner. Matter submitted.

Court adjourned at 2:40 p.m.

D034425 People v. Lozano

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 38).